

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Tanel TENSION et al.	)	Group Art Unit: 1636
Application No.: 10/531,870	)	Examiner: NANCY TREPTOW VOGEL
Filed: April 19, 2005	)	Confirmation No.: 5979
For: SELECTION SYSTEM CONTAINING	)	
NON-ANTIBIOTIC RESISTANCE	)	
SELECTION MARKER	)	
	)	
	)	

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after the close of prosecution but prior to, or concurrently with, the payment of the issue fee, therefore under 37 C.F.R. § 1.97(d) a statement and the fee of \$180.00 set forth in 37 C.F.R. § 1.17(p) are enclosed.

The documents were cited in a telephone conversation with the Examiner in a corresponding Indian application. Applicants note that the Examiner in the corresponding Indian application has subsequently withdrawn her objections based on the documents. The telephone conversation with the Indian Examiner took place on December 21, 2008.

I, the undersigned, hereby state in accordance with 37 C.F.R. § 1.97(e)(2) that no item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.


To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 9, 2009

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